

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**  
(Northern Division)

ALFRED CHESTNUT, *et al.*,

Plaintiffs,

v.

DONALD KINCAID, *et al.*,

Defendants.

Civil Action No. LKG-20-2342

**JOINT STATUS REPORT**

Pursuant to the Court’s Scheduling Orders, *see* ECF Nos. 37, 144, Plaintiffs Alfred Chestnut, Andrew Stewart, and Ransom Watkins, and Defendants Donald Kincaid, Bryn Joyce, and John Barrick (“Individual Defendants”), and the Baltimore Police Department (“BPD”) (collectively “the Parties”) jointly submit this Joint Status Report.

**A. Discovery**

**1. Status of Depositions**

All Plaintiffs and third-party witnesses have been deposed, with the exception of John Caldwell. Mr. Caldwell is the subject of a show cause hearing currently scheduled for May 16, 2022. *See* ECF No. 159. Defendant Bryn Joyce was also deposed.

The only depositions that remain are the depositions of Donald Kincaid (scheduled for May 4)<sup>1</sup> and BPD's 30(b)(6) corporate designee (scheduled for May 4 on Topic 1 only). BPD has not yet designated a 30(b)(6) corporate designee for Topics 2-4.<sup>2</sup>

## **2. Status of Written Discovery**

Plaintiffs and the Individual Defendants have served and responded to written discovery. Plaintiffs have not yet provided supplemental responses to the Individual Defendants' contention interrogatories.<sup>3</sup>

In a supplemental response to Individual Defendants' subpoena, The Rebuild, Overcome, and Rise Center ("ROAR") at the University of Maryland produced redacted mental health records for Ransom Watkins on April 8, 2022. The Parties are working to reach an agreement whereby the redactions are removed, and will bring any dispute to the Court if they are unsuccessful.

On April 12, Plaintiffs served Ransom Watkins's Requests for Admissions. Per Federal Rule of Civil Procedure 36 and the Scheduling Order in place, Defendant Kincaid has until May 12, 2022, to answer those Requests for Admissions.

## **3. Outstanding Third-Party Discovery**

Individual Defendants are awaiting subpoena responses from University of Maryland Medical System ("UMMS") and MedStar Health for various health records for Alfred Chestnut.

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<sup>1</sup> Mr. Kincaid's deposition was scheduled for April 11 but was postponed following a COVID diagnosis on April 7.

<sup>2</sup> Plaintiffs and the BPD disagree about proceeding with Topics 2-4 prior to the Court's ruling on Topics 5-15 and anticipate bringing this dispute to the Court.

<sup>3</sup> Plaintiffs and Individual Defendants disagree about the deadline for Plaintiffs' supplemental contention interrogatory responses and will bring this dispute to the Court if they cannot reach an agreement.

**B. Pending Motions**

Two motions are pending before the Court: (1) Plaintiffs' Objections to February 28, 2022, Letter Order of the Magistrate Judge Regarding Topics for Corporate Designee Deposition of Defendant Baltimore Police Department, *see* ECF No. 145; and (2) the Individual Defendants' Motion to Compel Angela McKnight to Comply with Individual Defendants' Records Subpoenas, *see* ECF No. 151. The former motion is fully ripe and the Parties are awaiting the Court's decision; the latter motion will become ripe upon the filing of the Individual Defendants' reply brief which is due on April 20.

**C. Dispositive Pretrial Motions**

The Individual Defendants intend to file dispositive motions by the August 28, 2022, deadline provided in the Court's amended scheduling order. *See* ECF No. 144.

**D. Trial**

Plaintiffs have requested a jury trial, though the Court has not yet set a trial date. The Parties anticipate that a trial in this matter will take approximately two weeks.

**E. Settlement Negotiations**

The Parties have not met to conduct serious settlement negotiations and therefore cannot certify that such discussions have occurred. The Parties agree to participate in a settlement conference with another judge of this Court prior to any motions for summary judgment. However, Plaintiffs will not agree to any stay of the Court's current scheduling Order while settlement discussions are underway.

**F. Settlement/ADR Conference**

As described above, the Parties request a settlement conference with another judge of this Court before summary judgment; however, Plaintiffs believe it is necessary to first discuss with

the Individual Defendants and BPD the terms under which a settlement conference would be most productive.

**G. Proceeding Before United States Magistrate Judge**

The Parties do not consent to proceed before a United States Magistrate Judge for all further proceedings in this matter.

**H. Other Matters**

In light of the late-scheduled depositions of Donald Kincaid (May 4) and BPD (May 4 on Topic 1 only) and the yet-to-be scheduled deposition of BPD on Topics 2–4, Plaintiffs anticipate that they will need additional time for their initial expert disclosures. Plaintiffs have not yet determined the length of any extension but will notify the Court if and when an extension becomes unavoidable. Individual Defendants have indicated that they do not oppose such an extension if one is similarly afforded for their experts.

Dated: April 14, 2022

Respectfully submitted,

/s/

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